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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 09/991,292 | 11/14/2001 | Frederic Tisserand | 680-010648-US(PAR)/ C2807 | 3864 |

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EXAMINER

FIGUEROA, FELIX O

ART UNIT

PAPER NUMBER

2833

DATE MAILED: 03/10/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/991,292

Applicant(s)

TISSERAND ET AL.

Examiner

Felix O. Figueroa

Art Unit

2833

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 01 February 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 5.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Specification

Applicant is reminded of the proper language and format for an abstract of the disclosure. The form and legal phraseology often used in patent claims, such as "comprising" and "which," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

This application includes terminology which is so different from that which is generally accepted in the art to which this invention pertains. For example: indexation/indexing.

Applicant is required to provide a clarification of these matters or correlation with art-accepted terminology. Applicant should be careful not to introduce any new matter into the disclosure (i.e., matter which is not supported by the disclosure as originally filed).

Claim Objections

The claims should begin with a capital letter and end in a period. See MPEP § 608.01(m). However, claim 9 includes more than one capital letter and one period. See line 14.

Claims 1, 2, 5, 7, 8 and 9 are objected to because of the following informalities:

In claim 1 lines 5-6, "that portion" lacks antecedent basis. In lines 6-7, "the interior" lacks antecedent basis. In line 8, "its side" should be --a side--; and "its axis" lacks antecedent basis. In line 11, "the edge" lacks antecedent basis.

In claim 2 line 5, "the other" should be --each other--. In line 6, "they" should be --the bars--.

In claim 5 lines 2-3, "its side edges" lacks antecedent basis.

In claim 7 line 2, it is unclear what is being referred by "it".

In claim 8 lines 5-6, "that portion" lacks antecedent basis. In lines 6-7, "the interior" lacks antecedent basis. In line 8, "its side" should be --a side--; and "its axis" lacks antecedent basis. In line 11, "the edge" lacks antecedent basis. In line 17, "the other" should be --each other--. In line 18, "they" should be --the stop arms--.

In claim 9 line 5-6, "that portion" lacks antecedent basis. In lines 6-7, "the interior" lacks antecedent basis. In line 8, "its side" should be --a side--; and "its axis" lacks antecedent basis. In line 11, "the edge" lacks antecedent basis. In line 18, "the other" should be --each other--. In line 19, "they" should be --the stop arms--.

Appropriate correction is required.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 3-5 and 9 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claims 3 and 9, it is unclear how the projections can be "provided in the stop arms" and be able "to engage the arms".

The scope of claim 4 is indefinite because there is an inconsistency within the claim. Claim 1, from which it depends, indicates that the subcombination, a card connector, is being claimed. However, later claim 4 contains positive limitations directed toward the card, suggesting that applicant intends to claim the combination of the card connector and the card. Applicant is required to clarify what subject matter the claims are intended to be drawn to and the language of the claim must be amended to be consistent with this intent.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1 and 3 are rejected under 35 U.S.C. 102(b) as being anticipated by Kuwata et al. (US 5,813,878).

Kuwata discloses chip card connector comprising: a base frame (2) having integrated contact springs (6) and a closing cover (3) hinged from above the base frame; the closing cover including, in a side opposite the hinged side, two stop arms

(15) having indexation tip members (16,17) that in a closed position are engaged under shoulders (9,10) provided on an edge (7) of the base frame, the stop arms being located opposite each other.

Regarding claim 3, Kuwata teaches projections (at 16,17) provided in a front zone of the stop arms.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 2, 6, 8 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kuwata in view of Matsuoka (4,715,835).

Kuwata discloses substantially the claimed invention except for the form of the arms. Matsuoka shows that a cover (5) having stop arms (8) formed from two small bars extending along three recesses (on each side of 8) open on one side of the cover, wherein the bars extending to a front zone in which they are widened, is an art recognized equivalent structure for covering a chip card. Therefore, because these two covers were art-recognized equivalents at the time the invention was made, one of ordinary skill in the art would have found it obvious to substitute of the cover of Matsuoka for the cover of Kuwata to cover the chip card.

Regarding claim 6, both Kuwata and Matsuoka disclose the indexing tip members being beveled to facilitate passage into the closed position.

Claims 4 and 5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kuwata in view of Martucci (US 6,174,188).

Kuwata discloses substantially the claimed invention except for retaining member. Martucci teaches a card connector in which the base (2) has a retaining member (18,19) for fitting over a chip card is located on an edge that is close to an axis of rotation of the cover to help retain the card within the base frame. Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to form the connector of Kuwata having a retaining member for fitting over a chip card is located on an edge that is close to an axis of rotation of the cover, as taught by Martucci, to help retain the card within the base frame.

Regarding claim 5, Kuwata teaches a hinged pins (not labeled) and Martucci teaches the cover being on a plane parallel to the retaining member.

Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kuwata in view of DeFrasne et al. (US 5,603,629).

Kuwata discloses substantially the claimed invention except for the spring member. DeFrasne teaches a card connector including a spring member (30) to aid opening the cover after the stop members are released. Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to form the connector of Kuwata having a spring member, as taught by DeFrasne, to aid opening the cover after the stop members are released.


Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Felix O. Figueroa whose telephone number is (703) 308-0097. The examiner can normally be reached on Mon.-Fri., 8:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paula Bradley can be reached on (703) 308-2319. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 308-7722 for regular communications and (703) 308-7724 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1782.

ffr
March 4, 2003


RENEE LUEBKE
PRIMARY EXAMINER